

REMARKS

Claims 1-9 remain pending. No claims are amended, canceled, or added.

The disclosure stands objected to, as explained in the Office Action on page 2. In view of the present amendments (see above), applicant now submit that the objection should be withdrawn.

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as obvious over Takada (U.S. Patent No. 6,201,398). Applicants respectfully traverse this rejection.

Claim 1 describes an electronic circuit inspection sensor that has “a plurality of sensor elements.” Claims 2-8 depends from claim 1, so they also include this feature by virtue of their dependency from claim 1. Claim 9 describes an inspection system, and this system also has “a plurality of sensor elements.”

The rejection relies on electrode 620 of Takada to teach a single “sensor element,” but, as acknowledged in the Office Action (pages 3 and 5), Takada does not disclose “a *plurality* of sensor elements” as claimed. Instead, the rejection relies on an understanding that it would have been obvious to duplicate electrode 620 of Takada, and the rejection relies on MPEP § 2144.04 and In re Harza¹ to supposedly support this conclusion of obviousness.

Applicants respectfully submit that MPEP § 2144.04 and In re Harza do not apply to the present situation. In re Harza held, “It is well settled that the mere duplication of parts has no patentable significance unless a new and unexpected result is produced” (emphasis added).²

However, as applicants explain in their disclosure, a plurality of sensor elements allows an inspection system to simultaneously display a *distribution* of output values from each sensor (see, for example, applicants’ Fig. 22 and corresponding text in the specification) to determine

¹ 274 F.2d 669, 124 USPQ 378 (CCPA 1960)

² 274 F.2d 669, 775, 124 USPQ 378, __.

the presence of a defective circuit pattern (see also applicants' Fig. 25 and corresponding text in the specification). Also, as explained in MPEP § 2143,³ the PTO has the initial burden of showing obviousness instead of the applicant having the initial burden to show non-obviousness. However, the Office Action does not provide an explanation of how, in view of Takada, the simultaneous display of output values to indicate defective circuit patterns is not new or is expected.

Accordingly, in view of this explanation, withdrawal of the obviousness rejection is now solicited.

In a separate matter, applicants present an amended title.

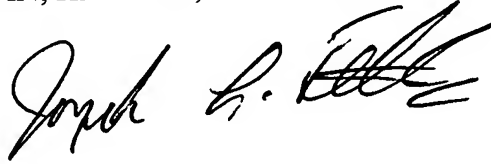
In a final matter, the undersigned notes that item 8 of the Application Transmittal form (filed with the application on August 4, 2003) indicates that the prior application serial number is "09/690,023." However, the correct serial number for the application is 09/572,254. This informality was submitted unintentionally and without deceptive intent.

In view of the remarks above, applicants now submit that the application is in condition for allowance. Accordingly, a Notice of Allowability is hereby requested. If for any reason it is believed that this application is not now in condition for allowance, the Examiner is invited to contact applicants' undersigned attorney at the telephone number indicated below to arrange for disposition of this case.

³ Page 2100-128, first column.

In the event that this paper is not timely filed, applicants petition for an appropriate extension of time. The fees for such an extension, or any other fees which may be due, may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Joseph L. Felber". The signature is fluid and cursive, with the first name "Joseph" being the most prominent.

Joseph L. Felber
Attorney for Applicants
Reg. No. 48,109

Atty. Docket No. **000624A**
1250 Connecticut Avenue, N.W., Suite 700
Washington, DC 20036
Tel: (202) 822-1100
Fax: (202) 822-1111

JLF/asc

Q:\2000\000624A\000624A response to 5-7-04 action.doc